

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 1:96-CR-84 (13)

ANTHONY EASON,

HON. ROBERT HOLMES BELL

Defendant.

MEMORANDUM OPINION

This matter is before the Court on Defendant Anthony Eason's Amendment 750 Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2), based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine), ECF No. 838).

Defendant was originally sentenced before this Court on June 16, 2005, following a conviction to the Third Superseding Indictment, charging (Count 1): Conspiracy to Distribute and Possess with Intent to Distribute Cocaine, Cocaine Base (Crack Cocaine) and Marijuana, (Count 2): Conspiracy to Distribute and Possess with Intent to Distribute Cocaine Base (Crack Cocaine), and (Count 3): Engage in and Conduct a Continuing Criminal Enterprise. The court imposed a sentence of 40 years, which was a variance from the guideline range, to provide the defendant the opportunity to work towards receiving "good time," provide him with the opportunity to do good works while in prison, and to make him eligible for supervised release.

Based on a review of defendant's motion, the Sentence Modification Report, submissions by counsel on behalf of the defendant and the government, and the original criminal file, the Court has determined that the motion should be denied. The evidence of defendant's drug activity on the record at trial justify the higher guideline range. This Court has considered the sizeable amounts of drugs the defendant distributed, his threats to witnesses in this matter, their families, and the prosecutor. This Court cannot ignore the fact that the initial drug amount considered in the original Presentence Investigation Report relied only on the minimum jury finding concerning the amount of drugs involved.

ACCORDINGLY, Defendant Eason's motion for reduction of sentence (docket #838) is **DENIED.**

Dated: December 20, 2016

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE